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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,556	04/01/2004	Thomas E. Dowdy	P1916C/526C	1243
29141	7590	07/25/2005	EXAMINER	
SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303			RAHMJOO, MANUCHER	
			ART UNIT	PAPER NUMBER
			2676	

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/816,556

Applicant(s)

DOWDY, THOMAS E.

Examiner

Mike Rahmjoo

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-11 and 17-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-11,17-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4- 11, and 17- 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Bindlish et al (US Patent 5,608,864), hereinafter, Bindlish.

As per claims 1 and 17 Bindlish teaches providing a first format in a first frame buffer, the first format compatible with a format for an application program see for example figure 5b block 530 and claim 1 for the first FIFO and also figures 6- 7; providing a second format in a second frame buffer, the second format compatible with a format for an output device see for example figure 5b block 551 and claim 1 for the second FIFO and also figures 6- 7; and transforming data inputs from the application program from the first format in the first frame buffer to the second format in the second frame buffer for output on the output device to provide compatibility between the application program and the output device without altering the application program see for example figure 5b for blocks 535- 537 (DAC 536) and also figures 6- 7.

As per claims 4 and 18 Bindlish teaches the first format comprises a first resolution see for example column 13 lines 41- 53 for the uniform resolution for the background.

As per claims 5 and 19 Bindlish teaches the first format comprises a first depth see for example column 13 lines 41- 53 for the low pixel depth.

As per claims 6 and 20 Bindlish teaches the first format comprises a first video standard see for example figure 5b for the graphic data and also figures 6- 7.

As per claims 7 and 21 Bindlish teaches the second format comprises a second resolution see for example column 13 lines 41- 53 for the fine detail resolution for the motion video.

As per claims 8 and 22 Bindlish teaches the second format comprises a second depth see for example column 13 lines 41- 53 for the high pixel depth.

As per claims 9 and 23 Bindlish teaches the second format comprises a second video standard see for example figure 5b for the video data and also figures 6- 7.

As per claims 10 and 24 Bindlish inherently teaches providing a first format comprises providing a first aperture card see for example figures 5- 7.

As per claims 11 and 25 Bindlish inherently teaches providing a second format comprises providing a second aperture card see for example figures 5-7.

As per claims 26- 27 Bindlish teaches wherein the first format in the first frame buffer is not compatible with the output device see for example figures 5B and 6- 7 wherein there is clear incompatibility with the outputs of 530 and 551.

Response to Arguments

Applicant's arguments filed 07/05/05 have been fully considered but they are not persuasive.

As per applicant's remarks on page 7, applicant argues "the format of data in the first pipeline of Bindlish is not transformed into the format of the data in the second pipeline" and further argues "no transformation from a first format to a second format occurs".

Examiner respectfully disagrees.

Column 9 lines 30- 45 of Bindlish recites "data from MVW FIFO 551 may be converted in serializer 552 to pixel data having a depth of eight bits per pixel" which clearly corresponds to applicant's claimed invention of "transforming data input without altering the application program".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (571) 272-7789. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272- 7778. The fax phone number for the organization where this application or proceeding is assigned is (571) 273- 8300 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Mike Rahmjoo

July 13, 2005



**MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**